

PROB 12C
(7.93)

Report Date: May 9, 2011

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**MAY 09 2011**JAMES R. LARSEN DEPUTY
SPOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Marc Steven White

Case Number: 2:04CR02155-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 7/12/2005

Original Offense: Possession of a Firearm by a Prohibited Person, 18 U.S.C. §§ 922(g)(1) and 924(c)(1)

Original Sentence: Prison - 78 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Gregory M. Shogren

Date Supervision Commenced: 1/11/2011

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: 12/10/2013

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance**1 Mandatory Condition #3:** The defendant shall not illegally possess a controlled substance.**Supporting Evidence:** Marc White admitted to possessing methamphetamine on April 20, 23, and 24, 2011. A urinalysis sample was collected from the defendant on April 21, 2011, which tested presumptive positive for methamphetamine. Test results were confirmed by Sterling Laboratories.

On April 26, 2011, the defendant reported for an office visit and admitted a friend gave him some methamphetamine for his personal use. He related he made a poor choice by accepting the methamphetamine and using the illegal substance.

2 Mandatory Condition #4: The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.**Supporting Evidence:** On April 21, 2011, Marc White submitted a urinalysis sample which tested presumptive positive for methamphetamine. Test results were confirmed by Sterling Laboratories.

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- 3 **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Marc White failed to contact the U.S. Probation Office as directed on May 4, 2011.

On May 4, 2011, the defendant was directed to contact this officer upon his arrival at American Behavioral Health Systems (ABHS) treatment center but he failed to do so. To date, the defendant has failed to contact the probation office and his whereabouts are unknown.

- 4 **Special Condition # 15:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

Supporting Evidence: Mark White failed to enter into a 90-day inpatient treatment program at ABHS on May 4, 2011.

On April 27, 2011, the defendant reported to Yakima County Assessment and Referral Services and was reassessed based on his recent use of illegal substances. Personnel there secured a 90-day inpatient treatment bed date for him at ABHS on May 4, 2011. The defendant was provided with a bus voucher and was given instructions to report to ABHS on May 4, 2011. On May 5, 2011, contact with ABHS personnel revealed the defendant failed to show as scheduled on May 4, 2011.

- 5 **Special Condition # 18:** You shall participate in the home confinement program for 90 days. You shall abide by all the requirements of the program, which will include location monitoring. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, Court appearances, Court-ordered obligations, or other activities as preapproved by the supervising officer.

Supporting Evidence: Mr. White failed to make himself available for participation in the home confinement program.

On February 9, 2011, the defendant commenced his Court ordered 90 days of home confinement. On May 4, 2011, he was temporarily removed from the program for participation in the 90-day treatment program at ABHS. Mr. White was informed that upon being discharged from the treatment program he would be placed back on the home confinement program for completion of his sentence. That same day he failed to show for his scheduled bed date at ABHS and failed to report to the U.S. Probation Office for the completion of his home confinement program. It should be noted that on May 6, 2011, the undersigned officer received a call from one of the defendant's female friends who advised she had spoken with him that morning. She related the defendant reported he was somewhere near Spokane, Washington, and was not planning on entering treatment at ABHS because he believed he would be arrested. To date, the defendant has failed to contact the U.S. Probation Office and his whereabouts are unknown.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on: May 9, 2011

s/Jose Vargas

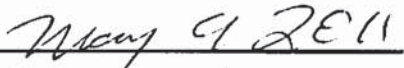
Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer



Date